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Official Records

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New York

President: Mr. Essy ..... (Côte d'Ivoire)

In the absence of the President, Mr. Nandan (Fiji), Vice-President, took the Chair.

The meeting was called to order at 10.45 a.m.

Floods in China

The President: Before turning to the items on our agenda for this morning, may I, on behalf of all the members of the Assembly, extend our deepest sympathy to the Government and the people of China for the tragic loss of life and extensive material damage that have resulted from the recent floods.

I now call on the representative of China.

Mr. Qin Huasun (China) (*interpretation from Chinese*): Allow me at the outset to convey to you, Sir, the heartfelt thanks of the Chinese delegation for your expression of grief at the loss of life in the recent floods in China and your sentiments of sympathy and solicitude for the Chinese people for the property and economic losses caused by the floods.

The melting of ice and snow at the source of the Yangtze River, as a result of global warming, led to a rise of the water level in the middle and lower reaches of the river to a height far exceeding that of previous years, causing severe flooding in 10 provinces of Southern China, most seriously in Hunan and Jiangxi. According to preliminary statistics, from May to 4 July 1995, the floods took the lives of 1,179 people, injured 26,115 and resulted in economic losses of $4.4 billion.

At present, the floodwater in Hunan is subsiding. The situation in that province may stop deteriorating if there are no more heavy rains. However, the water level in the lower reaches of the Yangtze River is still rising slowly, and the provinces and cities along the river are making every effort to fight against the floods.

The Chinese Government attaches great importance to this flood situation. It has led and organized the relevant departments of the central Government and governments at various levels in their efforts to mobilize human, material and financial resources to combat the floods. It has also encouraged the people in flood-stricken areas to make persistent efforts in their battle against the floods, to resume production as soon as possible, to rebuild their homeland and minimize the losses caused by the floods.

The international community has shown concern for the rather serious floods that have occurred in China in recent years, for which I should like to take this opportunity to express our heartfelt thanks.

Agenda item 112 *(continued)*

Scale of assessments for the apportionment of the expenses of the United Nations

Article 19 of the Charter (A/49/838/Add.4)

The President: In a letter contained in document A/49/838/Add.4, the Secretary-General informs the

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This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Section, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

President of the General Assembly that, since the issuance of his communications, dated 26 January (A/49/838), 28 February (A/49/838/Add.1), 24 May (A/49/838/Add.2) and 21 June 1995 (A/49/838/Add.3), Yemen has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 15 *(continued)*

Elections to fill vacancies in principal organs

(c) Election of a member of the International Court of Justice

Memorandum by the Secretary-General (A/49/931)

List of candidates nominated by national groups: notes by the Secretary-General (A/49/932, A/49/940 and Add.1)

Curriculum vitae of the candidate nominated by national groups: note by the Secretary-General (A/49/933)

The President: In accordance with resolution 980 (1995), adopted by the Security Council on 22 March 1995, the General Assembly will proceed to the election of a member of the International Court of Justice for the unexpired term of office of Judge Sir Robert Yewdall Jennings, whose resignation took effect on 10 July 1995.

In connection with this election, I should like to bring the following matters to the attention of the members of the General Assembly.

Firstly, in accordance with General Assembly resolution 264 (III) of 8 October 1948, a State which is a party to the Statute of the International Court of Justice but not a Member of the United Nations shall participate in the General Assembly in electing the members of the Court in the same manner as the States Members of the United Nations. On this occasion I am happy to welcome here the representatives of Nauru and Switzerland.

Secondly, I should like to confirm that at this time the Security Council, independently of the General Assembly, is also proceeding to elect one member of the Court. This procedure is in accordance with Article 8 of the Statute of the Court, which provides that

> "The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court."

Accordingly, the results of the voting in the General Assembly will not be communicated to the Security Council until one candidate has obtained the required majority in the Assembly.

Thirdly, I should like to draw the attention of the Assembly to the documents relating to the election. The Assembly has before it document A/49/931, which contains a memorandum by the Secretary-General on the present composition of the Court and the procedure to be followed in the General Assembly and in the Security Council with regard to the election; document A/49/932, which contains the name of the candidate who has been nominated by national groups within the required time for submission, that is, by 21 June 1995; document A/49/940 and Add.1, providing information concerning nominations received from national groups after 21 June 1995; and document A/49/933, which contains the curriculum vitae of the candidate nominated by national groups.

In accordance with Article 10, paragraph 1, of the Statute of the Court, the candidate who obtains an absolute majority of votes both in the General Assembly and in the Security Council shall be considered as elected.

The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors, whether or not they vote or are allowed to vote. The electors, for this purpose, are all the Member States — 185 — and two non-Member States, Nauru and Switzerland. Accordingly, 94 votes constitute an absolute majority for the purpose of electing a judge of the International Court of Justice.

The General Assembly will now proceed to a secret ballot. If in the first ballot, no candidate obtains an absolute majority, it will be necessary to proceed to other ballots until a candidate has obtained that majority. Pursuant to the decision taken by the General Assembly at its 915th meeting, on 16 November 1960, these ballots shall be unrestricted.

I should like to remind representatives that, pursuant to rule 88 of the Assembly's rules of procedure,

> "After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting".

May I take it that the Assembly agrees to the procedure I have just outlined?

It was so decided.

The President: Ballot papers will now be distributed. The voting process has now begun.

Representatives are requested to use only the ballot papers that are now being distributed and to place a cross to the left of the name of the candidate for whom they wish to vote. Votes may be cast only for the candidate whose name appears on the ballot papers.

At the invitation of the President, Mr. Gray (Australia), Mr. Houansou (Benin), Mr. Arévalo (Chile), Mr. Michal (Czech Republic) and Mr. Noh (Republic of Korea) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.10 a.m. and resumed at 11.40 a.m.

The President: The result of the voting is as follows:

Number of ballot papers:	160
Number of invalid ballots:	1
Number of valid ballots:	159
Abstentions:	4
Number of members voting:	155
Required majority:	94
Number of votes obtained:	
Ms. Rosalyn Higgins (United Kingdom of Great Britain and Northern Ireland)	155

The President: Ms. Rosalyn Higgins of the United Kingdom of Great Britain and Northern Ireland has obtained an absolute majority in the General Assembly.

I have communicated the result of the voting to the President of the Security Council.

I have received from the President of the Security Council the following letter:

> "I have the honour to inform you that, at the 3552nd meeting of the Security Council, held on 12 July 1995, for the purpose of electing a member of the International Court of Justice for a term of office to expire on 5 February 2000, Ms. Rosalyn Higgins obtained an absolute majority of votes."

As a result of the independent voting in the Security Council and in the General Assembly, Ms. Rosalyn Higgins of the United Kingdom of Great Britain and Northern Ireland, having obtained an absolute majority in both organs, is duly elected a member of the International Court of Justice for a term of office expiring on 5 February 2000.

This is a historic election in that the United Nations has for the first time elected a woman judge to the International Court of Justice. Judge Rosalyn Higgins is an eminent scholar and a distinguished international lawyer. On behalf of the Assembly, I congratulate her on this historic election and wish her well. I note that Ms. Higgins is present in the Hall.

We have thus concluded our consideration of sub-item (c) of agenda item 15.

Agenda item 8 *(continued)*

Adoption of the agenda and organization of work:

> **Request for the reopening of the consideration of agenda item 17 (a) (Appointment of members of the Advisory Committee on Administrative and Budgetary Questions): note by the Secretary-General (A/49/101/Add.3)**

The President: In his note (A/49/101/Add.3), the Secretary-General informs the General Assembly that he has received notification of the resignation of Mr. Wolfgang Münch of Germany from the membership of the Advisory Committee on Administrative and Budgetary Questions and that the Assembly will therefore be required at its current session to appoint a person to fill the unexpired portion of the term of office of Mr. Münch, that is, until 31 December 1995.

In order to enable the General Assembly to take the required action, it will be necessary to reopen

consideration of sub-item (a) of agenda item 17, entitled "Appointment of members of the Advisory Committee on Administrative and Budgetary Questions". May I take it that the General Assembly, on the proposal of the Secretary-General, wishes to reopen consideration of sub-item (a) of agenda item 17?

It was so decided.

The President: Members will recall that, at its 3rd plenary meeting, on 23 September 1994, the Assembly allocated this sub-item to the Fifth Committee. May I take it that the Assembly again wishes to allocate this sub-item to the Fifth Committee?

It was so decided.

The President: The Chairman of the Fifth Committee will be informed of the decision just taken.

Agenda item 44 (*continued*)

Commemoration of the fiftieth anniversary of the United Nations in 1995:

Draft resolution (A/49/L.66 and Corr.1)

The President: The Assembly has before it a draft resolution issued in document A/49/L.66 and Corr.1.

I now call on the Minister for Foreign Affairs and Worship of Costa Rica, His Excellency Mr. Fernando Naranjo Villalobos, to introduce the draft resolution contained in A/49/L.66 and Corr.1.

Mr. Naranjo Villalobos (Costa Rica) (*interpretation from Spanish*): I wish to extend once again Costa Rica's gratitude to the President of the General Assembly for his wise and efficient leadership of the General Assembly at its forty-ninth session.

We are a few weeks away from the solemn occasion when Presidents and Heads of State and Government from all over the world will gather in the city of New York for the General Assembly and to commemorate, on behalf of humankind, the fiftieth anniversary of the establishment of the United Nations.

However, with candour and realism, it must be noted that the overview of peace in which the United Nations is celebrating its first half-century of existence is not completely positive.

The ideological conflict that dominated the world during the second half of this century has been succeeded by a mosaic of explosions of violence that are difficult to characterize, but in which, almost without exception, the clash of cultures is identified as the source of the dispute.

In the settlement of disputes, Costa Rica has adopted an original and non-traditional approach.

In 1948, at the end of a civil war in my country which had as its main goal the defence of democratic institutions and the re-establishment of an electoral regime which assured respect for the popular vote, the victors, instead of using arms as a means to stay in power, decided to abolish the armed forces. Rather than dividing up among themselves the economic resources resulting from the abolition of the army, they invested them in education, health services and the infrastructure, thus establishing the foundation for a truly democratic project, based on the existence of a broad middle class and the practice of a market economy moderated by social responsibility.

This type of thinking explains the draft resolution for World Week of Peace, considered under item 44 of the agenda of the General Assembly.

The President of Costa Rica, José Maria Figueres, like the men in 1948 who found novel solutions for the problems of democracy and the armed forces and the construction of the Costa Rican social State, has decided to propose, if not a solution, at least an opportunity for the activities of war that have generated and sustained the armed conflicts that have caused so much destruction to human life and the world's cultural heritage and environment to stop for a week in celebration of the fiftieth anniversary of the United Nations.

The purpose of this "space for peace" is to allow all human beings involved in these conflicts both as victims and as belligerents to reveal in one way or another their objectives, thus initiating a process of dialogue and harmonization which is the only true path towards stable and long-lasting peace.

Costa Rica is pleased that the following 61 Member States have understood the message of peace that I am now presenting to this session of the General Assembly in the hope that the draft resolution contained in

document A/49/L.66 will be adopted without a vote. It has been co-sponsored by the delegations of Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Bahamas, Barbados, Belize, Benin, Bolivia, Cambodia, Cameroon, Cape Verde, Chile, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cyprus, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Gabon, Georgia, Grenada, Guatemala, Guinea-Bissau, Guyana, Haiti, Honduras, Israel, Jordan, Kuwait, Kyrgyzstan, Latvia, Liechtenstein, Monaco, Morocco, Mongolia, Nepal, Nicaragua, New Zealand, Oman, Panama, Paraguay, Peru, Republic of Korea, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Slovenia, Solomon Islands, Suriname, Trinidad and Tobago, Togo and Uruguay.

To all of them, we extend our deepest gratitude, on behalf of all peace-loving men and women.

Most of the different cultures of the world are represented in the group of sponsors; the simple fact that they have participated in this peace initiative represents a great source of hope in the struggle to resolve the armed conflicts that trouble the end of this century.

In addition to the 61 sponsors, we feel that the Charter is also on our side. The draft that we are promoting reminds us, in its preamble, of the primary purposes and principles of the United Nations. It is also consistent with the purposes of the United Nations Year for Tolerance, and it recognizes and stresses the important role of Disarmament Week in promoting international peace and security; indeed, the celebration of Disarmament Week will coincide with the World Week of Peace we are proclaiming.

In this sense, the Nobel Peace Prize laureates who attended the celebration of the fiftieth anniversary of the United Nations at San Francisco — Dr. Betty Williams, Director of the Global Foundation for Children, His Excellency Mr. Lech Walesa, President of Poland, the Most Reverend Desmond Tutu, Archbishop of Cape Town, and Mr. Oscar Arias-Sanchez, former President of Costa Rica — stated that

> "the key impact of the United Nations campaign against armed conflicts must consist in the active promotion of tolerance and peaceful coexistence among all peoples. While efforts are made to reduce the arms trade, the peace-building activities of the United Nations should include measures which strongly discourage all forms of discrimination based on race, ethnicity, religion, gender, class or any other condition".

The argument of Costa Rica has a moral character rather than a technical or military one, and proposes a concrete action: the declaration of a week in which there should be a general effort on behalf of peace around the world. Let us fight for life instead of death; let us fight for the promotion of progress instead of destruction; let us fight for reconciliation instead of hatred.

In this context, the support we request from all members of the General Assembly is what amounts to a pledge from each country to undertake activities in favour of peace during the week beginning 24 October. We also request the Secretary-General to ensure the broadest possible dissemination of this resolution through the Department of Public Information and to report on its implementation to the General Assembly at its fiftieth session.

Among all foreseeable efforts for the implementation of the resolution, the achievement of a cease-fire in all areas of conflict would be the ideal result.

We are aware of the limitations on such an achievement, but we are firmly convinced that we should not miss the opportunity represented by the fiftieth anniversary of the creation the Organization to present to the world an initiative in favour of peace. Not to present this initiative would be tantamount to sharing the indifference that, without any doubt, is the cause of various conflicts that the world currently faces. If just one human being — a child, a women or a man — is saved from death by it, the effort will have been well worth while. In this regard, the objective of the proposal is to call the attention of the international community to the need to change its attitude towards war and to adopt a new attitude in favour of peace.

With this draft resolution, we pay tribute to our forefathers for their desire for peace, embodied in 1945 in the creation of this Organization to fight permanently for world peace. The culture of war that has prevailed throughout the ages must now be transformed into a culture of peace. The same energy that in the past has been directed towards war must now be used to achieve peace.

Developing this culture of peace, in opposition to the culture of war, must be — starting with the celebration of this anniversary — the principal objective

of the United Nations. This, and no other, is the path of humanity towards the twenty-first century.

Mr. Laing (Belize): We are suffering from a kind of intellectual and spiritual burn-out. There have been so many initiatives, resolutions and conferences, yet our world and its peoples continue to suffer. We are therefore tempted to rein in our exhausted intellects and return to business as usual.

Happily, the draft resolution we are considering reminds us that, if nothing else, this Organization is truly about peace. The context in which it was created was one of warfare, and the purposes of the United Nations specifically relate to the proscription of war. Yet these very facts have often been responsible for an institutional attitude in which we think of peace as a condition that might come about piecemeal in particular cases where exhaustion or accident or, rarely, persuasion might induce the participants in specific armed struggles to seek some respite.

However, peace should involve globalism that transcends particular struggles. Peacemaking should also be anticipatory in nature, and not just reactive. Peace should be a permanent condition for which we strive, using all our combined powers of creativity. The draft before the Assembly satisfies these criteria. This inspired draft resolution looks at peace as a universal and transcendent phenomenon in which all peoples and States jointly and simultaneously participate. The drafter has not been embarrassed to seek to anticipate what may appear to be a Utopian future and has boldly proposed what at first glance seems, or what jaded experience might suggest is, unattainable.

With creativity the Government of Costa Rica has again challenged us to discover new visions for our civilization. I say "again" because Costa Rica has consistently been in the vanguard of the movement for internal harmony and peace. Over the years the Government and people of Costa Rica have acted with wisdom, maturity and responsibility in providing a shining example in the two subregions of which my country is a member.

We have been running the risk that our fiftieth anniversary celebrations will be to some extent an exercise in nostalgia. This is partly because we have tended to focus on the year 1945. That was a year in which we saw quite clearly the direction in which the war was heading. By June 1945 the wartime United Nations allies could almost think about the war in the past tense. However, in 1995 we should not reflect on 1945 without actively recollecting all the years 1939 through 1944 and what the war and the 1942 United Nations alliance were all about.

When we recall these realities we should also recollect that the very expression "United Nations" was born out of a dire situation, which universally demanded radical creativity and the penetrating vision that is exemplified in this draft resolution. It is something to be thankful for that the draft now provides a concrete focus for our fiftieth anniversary commemoration. It provides a useful foil, or counterpoint, for the wise statements that will be delivered at the forthcoming special commemorative meeting.

My delegation is therefore proud to be one of the sponsors of the draft resolution and to urge that it be adopted by consensus.

Mr. Stavrinos (Cyprus): Cyprus, a peace-loving nation, is proud to be a sponsor of the draft resolution entitled "World Week of Peace" and congratulates Costa Rica for its commendable initiative.

Bearing in mind that the promotion of peace and the prevention of war is not only one of the primary purposes of the United Nations, but also the necessary prerequisite for a peaceful and prosperous world, we fully support this idea. In this respect, we express our sincere hope that the moral message emanating from this initiative will make an impact on those who, despite the fact that they are in a position to affect significantly the course of international affairs towards a peaceful and just future, opt, for the sake of micro-political expediency, to allow the illegal use of force or the preservation of a status created by such methods, even in those cases where the United Nations has demanded the repeal of such a *fait accompli*.

My country, with its own bitter experience of foreign invasion and occupation, invites all Member States to support the initiative at hand and to take advantage of the opportunity afforded by the World Week of Peace, especially within the framework of the celebration of the fiftieth anniversary of the United Nations, to reflect on practical ways to impose international peace in a just world.

Mr. Valencia Rodriguez (Ecuador) *(interpretation from Spanish)*: The delegation of Ecuador is a sponsor of the draft resolution contained in document A/49/L.66.

I wish to take this opportunity to reaffirm, first and foremost, the sentiments expressed by earlier speakers. After a half-century of existence for the United Nations, I believe that it is well worthwhile to draw the urgent attention of the political leaders of the 185 Member States of the Organization, of the international bodies which in one way or another strive daily to lay and strengthen the foundations of peace, of the entities of every kind that are inspired by the same goals, of intellectual, university and academic circles — in short, of all the men and women of the world — to the purposes and principles of the United Nations Charter, the paramount international instrument of our time.

We feel that it is necessary, during the World Week of Peace — which will be celebrated concurrently with Disarmament Week — that everyone, governors and governed, regardless of our social or economic conditions, should engage in serious soul-searching to consider how these purposes and principles have been fulfilled. What shortcomings and obstacles have we encountered along the way, and what measures need to be adopted if we are to overcome those difficulties? We should also reflect on the outlook for the future.

Though over the past 50 years we have avoided the devastation of a third world war — which in present circumstances would have been an annihilating catastrophe for the entire human race because of the immeasurable power of nuclear weapons and weapons of mass destruction, whose stockpiles remain the gravest threat to the main objective of the United Nations — it is equally true that we have witnessed and occasionally participated in serious conflicts that have caused and continue to cause great loss of human life, untold suffering, collective anguish, misery and disease.

The soul-searching and reflection that we should undertake during the World Week of Peace should lead us ineluctably to renew our resolve to pursue our ongoing search, through the peaceful procedures established by the Charter, for just and equitable solutions, the fruit of agreement among parties, to the serious conflicts that persist throughout the world. Many of those conflicts have long and dangerously endured. They are the cause of serious political and military confrontations, locally and internationally, and unfortunately continue to emerge regularly.

During this Week, we should express our faith in the foundations of harmonious coexistence of peoples, the need to promote international cooperation, the defence and protection of human rights, progress, economic and social development and the full flourishing of democracy. All of this should undoubtedly lead to the maintenance of authentic and stable peace.

The delegation of Ecuador, as a sponsor of draft resolution A/49/L.66, therefore strongly urges that the proposed World Week of Peace be a powerful mechanism for reaffirming the determination of our peoples to maintain international peace and security. We must give full weight to the principles of the Charter, including the non-resort to the threat or use of force against the territorial integrity or political independence of any State, as well as the obligation to settle international disputes exclusively by peaceful means.

The President: I should like to propose that the list of speakers in the debate on this item be now closed.

It was so decided.

Mr. Melendez-Barahona (El Salvador) (*interpretation from Spanish*): On behalf of the countries of Central America, I have the honour to make this statement expressing our solidarity with and fraternal support for one member of our group, Costa Rica, and for the happy initiative taken by its Head of State, President José María Figueres, in proposing the Proclamation of the World Week of Peace as a contribution to the celebration of the fiftieth anniversary of the founding of the United Nations.

Throughout history we have seen innumerable armed conflicts to which the international community has reacted with great and constant efforts to seek peace and the solution of conflicts by peaceful means in order to avoid the sufferings and other grave consequences of war. In the current century, the League of Nations represented one such major effort, but it was an example which unfortunately received insufficient support to act consistently and effectively to avoid and eradicate war between nations.

The destructiveness, calamity and suffering wrought upon humanity during the First and Second World Wars have demonstrated the need for a more secure and effective mechanism for maintaining or restoring international peace and security. This ultimately took shape as the United Nations, whose Charter clearly lays down the purposes and principles of the Organization and the means to attain them.

Looking back on events in the evolution of our Organization as well as at the current world situation, we see that a number of armed conflicts have taken place and continue to take place in various regions of the world. We must recognize the limitations and constraints on United Nations action to prevent and find solutions to these conflicts. In many cases the United Nations has had a marginal function, particularly during the years of East-West rivalry, when certain international crises were dealt with outside the framework of the Organization, a phenomenon that has not yet completely disappeared.

As we approach the twenty-first century, we must also recognize and reaffirm that the maintenance of international peace and security continues to be one of the paramount objectives of the United Nations. It was thought at a certain point that the functions of the Organization would be more effectively carried out when the constraints on its activity gave way to a strengthening of cooperation and international solidarity. But reality has shown that there are still limitations and constraints beyond the control of the Organization which delay or prevent the quest for solutions, thus giving the impression that the search for peace is an unattainable aspiration. Of even greater concern is that when specific conflicts threaten to intensify or spread, they not only become a danger to the peace so much desired by the international community, particularly by the peoples that suffer the horrors of war, but also have a negative impact on the credibility and prestige of our Organization. The conflicts in the former Yugoslavia, Rwanda, Somalia, Chechnya and elsewhere are tragic examples of this reality.

However, we must not be discouraged by these cases or others that have called into question the multilateral system, because we are aware and convinced of the value of the United Nations. The Organization is the only global system whose purposes and principles are in force and constitute a hope for peoples, which becomes especially clear if we bear in mind that in recent years some successful results have been achieved in the promotion and establishment of peace in the world. We could mention with satisfaction the cases of Nicaragua and El Salvador in Central America, as well as Haiti, Angola, Cambodia, Mozambique and others.

In order for the Organization to fulfil its mandate effectively, it is essential that the Member States be prepared to put into practice the provisions of the Charter. But we must also recognize that we are experiencing a crisis of the political will needed to fulfil our obligations and functions in the interests of the international community. It seems as though we were trying to avoid our responsibilities rather than meet them, even those arising from the binding resolutions of the Security Council.

I think it is fitting to note that the Nobel peace laureates who went to San Francisco for the recent commemoration of the signing of the United Nations Charter, on 26 June 1945, declared authoritatively that

> "More than any other international organization or individual Government, the United Nations has a crucial role to play in the prevention and resolution of armed conflicts, which was the primary concern 50 years ago. The persistence of armed conflicts remains an intolerable reality today. Since 1945 the world has experienced more than 150 armed conflicts, more than 30 of which continue to rage today. The United Nations can reduce armed conflicts to a great extent by taking the lead in the promotion of demilitarization, starting with an immediate reduction in the production and trade of arms."

We are convinced that today's initiative is consistent with the purposes and principles of our Organization. In spirit it is aimed principally at mitigating the dire conditions suffered by peoples because of war, whether internal or international. It is intended to offer a period of reflection, particularly so that parties directly involved in armed conflict can open their eyes to the destruction and sufferings of war and the need to seek a solution by peaceful means, including through the means provided for in the Charter.

Finally, we wish in particular to reiterate our support for the draft resolution contained in document A/49/L.66, entitled "World Week of Peace", in commemoration of the fiftieth anniversary of the founding of the United Nations, which the countries of Central America are honoured to sponsor.

Mr. Yang Lee (Republic of Korea): First of all, the delegation of the Republic of Korea would like to pay tribute to the Government of Costa Rica for its dedication and continued efforts to promote world peace. My delegation is very pleased to work with the delegation of Costa Rica and as a sponsor of the draft resolution contained in document A/49/L.66, under the agenda item entitled "Commemoration of the fiftieth anniversary of the United Nations in 1995".

We believe that the fiftieth anniversary of the United Nations offers a rare opportunity to bring the nations and the peoples of the world closer together through honest reflection about society so that we may forge a better future. It is with this hopeful sentiment that we show our support for this draft resolution, which could further our goal of achieving lasting universal peace for current and succeeding generations.

Bearing in mind that the promotion of peace and the prevention of war are primary goals of the United Nations, it would be truly fitting to observe the World Week of Peace in solemn commemoration of the fiftieth anniversary of the United Nations. We would set a milestone for the promotion and realization of the lofty goals of peace, freedom and human rights. The observance of the World Week of Peace could also help to end recent conflicts which have brought deplorable ethnic strife, destruction and displacement or, at the very least, could bring a moment of peace and hope to afflicted individuals and communities.

Demonstrating the will to work harder and cooperate fully to promote peace and security, my delegation wishes to reiterate its willingness to co-sponsor the draft resolution and express its sincere hope that the draft resolution will be adopted by consensus.

Mr. Türk (Slovenia) Slovenia is among the sponsors of the draft resolution submitted to the General Assembly for the proclamation of a World Week of Peace starting on 24 October 1995. The World Week of Peace should be an opportunity and a reminder: an opportunity for effective humanitarian action in the areas affected by armed conflict and a reminder to all United Nations Members and all peoples to strengthen their efforts for peace and tolerance.

The maintenance of peace and security is the prime objective and purpose of the United Nations. It is no secret that the United Nations has not always succeeded in making this purpose a reality. Severe military conflicts rage in various parts of the world even as we, the delegates to the United Nations, deliberate here today. In the United Nations system the Security Council bears primary responsibility for the maintenance of international peace and security. The Council is endowed with appropriate functions and powers under the Charter and is composed of members which have at their disposal the necessary means for effective action. All this creates great responsibility.

The primary responsibility for peace and security, which is bestowed upon the Security Council, is not, however, an exclusive matter, all the more so since the Council has too often shown weakness and lack of effectiveness — hence the need for other organs to reflect on their contribution in accordance with their respective functions and powers in the efforts for peace.

The draft resolution submitted today represents an important element in the variety of activities pursued by the General Assembly in this domain. It comes at the time of the fiftieth anniversary of the United Nations, a time when a visionary approach is necessary. It is addressed not only to United Nations Member States but also, and perhaps most importantly, to the people in those States. Its content expresses a basic moral imperative: the imperative of tolerance.

The Nobel Peace laureates declared in their statement on the occasion of the fiftieth anniversary of the signing of the Charter of the United Nations:

> "A key thrust of the United Nations campaign against armed conflict should be the active cultivation of tolerance and peaceful coexistence among peoples".

It is our hope that this moral imperative, which is the core of the message of the draft resolution before us, will reach the people. Ideas accepted by the people and based upon a powerful moral norm have the capacity to change reality in a meaningful and significant way.

We congratulate Costa Rica on taking this initiative, and we urge the General Assembly to adopt the draft resolution without a vote.

Mr. Rowe (Australia): The first stated purpose of the United Nations under its Charter is to "maintain international peace and security".

It is that fundamental objective which is the basis for the draft resolution proclaiming a World Week of Peace, which the Minister for Foreign Affairs and Worship of Costa Rica has introduced this morning.

We wish to express our appreciation to the Government of Costa Rica for the important initiative which it has taken in sponsoring this draft resolution, of which Australia is a co-sponsor.

The proclamation of a World Week of Peace is, in our view, highly appropriate and relevant to the commemoration of the fiftieth anniversary of this

Organization. Six years ago, the fall of the Berlin Wall brought to an end 40 years of sterile confrontation between the super-Powers. The world was a more optimistic place in 1989 than it is today. Those six years, with their nightmarish scenes of conflict in places such as Bosnia, Rwanda and Somalia, have shown how illusory were the hopes that the cold war would immediately be replaced by a new era of peace and security for the world's people.

Those six years have brought their full measure of challenge for the international community and the United Nations. They have shown that the United Nations and its Member States have not yet developed a clear and confident sense of the United Nations own role in the new environment with which we are confronted, where the most common source of conflict is no longer disputes between States but explosive conflict within States.

This situation requires that in this historic anniversary year we resolve collectively to make a greater effort at cooperating for peace. We have to recapture some of the original vision built into the aims of the Charter of the United Nations.

Crucially, we have to reintegrate the relationship between the three basic objectives of peace — meeting the need for security; development — meeting economic needs; and human rights and justice — meeting the needs for individual and group dignity and liberty.

We must recognize that for any viable modern concept of international peace, including peace within States, there can be no sustainable peace without development and no development without peace. We have to give greater emphasis and attention to strategies for peace-building and preventive diplomacy.

The World Week of Peace will provide a focus for the international community to renew its commitment to peace and the prevention of war. It will provide a special opportunity for all Member States and all peoples of the world to reaffirm their commitment to one of the cornerstones of our United Nations by observing a period of universal peace.

It is also significant that the World Week of Peace will be observed concurrently with Disarmament Week, which plays an important role in promoting international peace and security. We can have no doubt that conflicts whose roots lie elsewhere are invariably ignited by weapons in the wrong hands. The United Nations must step up its commitment to eradicate weapons of mass destruction and tackle the problem of excessive and destabilizing conventional weapons, especially illicit flows of sophisticated weapons technology.

Disarmament Week has been celebrated annually since its establishment by resolutions of the first United Nations special session on disarmament and of the General Assembly in 1978. For Disarmament Week, States are invited to carry out effective measures to expose the danger of the arms race, propagate the need for its cessation and increase public understanding of the urgent tasks of disarmament.

There is currently no more urgent task than to conclude the negotiations currently under way in Geneva on a comprehensive nuclear-test-ban treaty. It is imperative that nuclear testing must cease.

Australia therefore deplores France's decision to resume nuclear testing in the South Pacific. This decision is deeply offensive to Australia and to other countries in the South Pacific region, all of which have strongly condemned it, as have many other countries in other parts of the world. We strongly urge France to reconsider its decision.

A very distinguished Australian, Mr. H. V. Evatt, who, as Foreign Minister of Australia, played an important role in the development of the Organization and, in 1948, was President of the General Assembly, pleaded for Governments to keep faith with their peoples. They wanted, he said,

> "not very much, just peace and justice and decent standards of living for themselves, perhaps, but mainly for their children".

Those are simple and modest words. They remind us that the United Nations does not belong to the powerful and the wealthy but to the ordinary men, women and children of the world. It was founded on a promise that never again would their leaders bring them war, injustice and poverty. That promise has not to date been honoured, but we have a second chance, as we enter into the next 50 years of the United Nations, to fulfil that promise by bringing to the people of the world "peace, justice and decent standards of living".

The World Week of Peace, to commence on the fiftieth anniversary of the United Nations, will be a significant step towards realizing that promise.

Mr. Barreto (Peru) (*interpretation from Spanish*): My delegation welcomes the submission of draft resolution A/49/L.66. We wish to state that we attach special importance to the World Week of Peace to begin on 24 October 1995 on the occasion of the celebration of the fiftieth anniversary of the United Nations and that, on this occasion, the States signatories to the United Nations Charter should recognize that a culture of peace is part of the international responsibility laid down in it.

For international peace and cooperation to be achieved among peoples, in conformity with respect for the principles of the Charter, the international legal order and for treaties, national educational policies and their content are of crucial and enduring importance. Only through those policies will we ultimately be able to overcome feelings of vengeance, hostility and hatred among the peoples of the United Nations. In this respect, my delegation wishes to stress the complementarity of this particular draft resolution with other similar international instruments. We would refer in particular to the Constitution of the United Nations Educational, Scientific and Cultural Organization, which states in its preamble that, since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed.

It is in that spirit that my delegation, as a sponsor of this text, would like to see the draft resolution adopted without a vote.

Mr. Rodriguez-Parrilla (Cuba) (*interpretation from Spanish*): Any effort in favour of peace will always receive the support of the Republic of Cuba. This is our historic vocation. A just peace is the keenest aspiration of the Cuban people. Any effort towards the integration of what José Martí called "our America" will always find Cuba ready to set aside the interests of our own small island and subordinate them to those of the great family of nations to which we are honoured to belong.

Our conception of peace is indeed universal and encompasses and integrates many things. For us, peace is much more than the absence of war. The philosophy of peace, in our opinion, implies a recognition of all its facets and components. That is why we are alarmed by any reductive approach and by the preeminence, as we approach the end of a century full of social, political and military conflicts, of a philosophy that ignores or underestimates the underlying causes of humanity's problems.

We cannot rejoice at the fact that, today, the search for a solution to conflicts tends to ignore the causes of those conflicts. In our view, solutions linked to "An Agenda for Peace" and exercises of preventive diplomacy, peace-keeping and peace-building share this common failing: that the imposition of peace by force of arms is always a sad and traumatic exercise. Worse still, it is sterile and reversible if the deep-seated causes of the conflicts are not addressed. To be sure, negotiation based on respect — and hence on tolerance, rapprochement and dialogue — is a longer and slower process than military operations, but it is more humane, more creative and, above all, more effective.

The dimension of development in the matter of peace is, in our opinion, an inescapable one. No one can be unaware of the intimate relationship between peace and development, nor could anyone call it into question. No speech or document should fail to mention it, because it is the key to the future. Nor can there be any doubt that respect for the sovereignty of States is a decisive requirement in the quest for peace.

The World Week of Peace being debated today will coincide with the commemorative meeting to mark the fiftieth anniversary of the United Nations, that is, the summit meeting of our Heads of State. It is our hope that the draft resolution before us today will mark a real commitment. It would be unfortunate if it were to go down in history as a mere rhetorical exercise unfulfilled by the Heads of State assembled here to make other commitments.

In our view, the most important thing is to ensure that the days after 24 October are indeed days of peace. At least for those few days, let us hope that there can be a suspension of military conflicts; an end to the threat or use of force, to coercive measures, to political, financial and commercial pressures brought to bear against small States, and to encroachments on the sovereignty of States and on the principles of the Charter. Let us hope that, during those days, the gap between the developed and the developing world ceases to widen. Let us hope that those few days can ease the growing contradictions between North and South. And let us hope that all of suffering humanity may find peace, a worthy peace, a peace with justice, a peace for all. If this draft resolution can spark the enormous effort required to achieve its worthy aims, then Cuba, in the belief that it is possible, will make its own decisive contribution.

The President: We have heard the last speaker in the debate on this item.

The Assembly will now take a decision on the draft resolution entitled "World Week of Peace", which is contained in document A/49/L.66 and Corr.1.

May I take it that the Assembly decides to adopt draft resolution A/49/L.66 and Corr.1?

The draft resolution was adopted (resolution 49/244).

The President: We have thus concluded this stage of our consideration of agenda item 44.

Agenda item 34 *(continued)*

The situation of democracy and human rights in Haiti

Report of the Secretary-General (A/49/926)

Draft resolution (A/49/L.67/Rev.1)

Report of the Fifth Committee (A/49/941)

The President: I call on the representative of Argentina to introduce draft resolution A/49/67/Rev.1.

Mr. Cárdenas (Argentina) *(interpretation from Spanish)*: On behalf of the group of countries Friends of the Secretary-General for Haiti, of Haiti itself and of Antigua and Barbuda, Austria, Bahamas, Barbados, Belgium, Belize, Brazil, Chile, Colombia, Costa Rica, Cuba, Denmark, Ecuador, El Salvador, Finland, Germany, Greece, Guyana, Honduras, Italy, Ireland, Jamaica, Luxembourg, Mexico, the Netherlands, Nicaragua, Panama, Paraguay, Peru, Portugal, Spain, Sweden, Suriname, Trinidad and Tobago and the United Kingdom of Great Britain and Northern Ireland, I have the honour to introduce the draft resolution contained in document A/49/L.67/Rev.1, entitled "The situation of democracy and human rights in Haiti". This draft resolution concerns the renewal of the mandate of the joint United Nations/Organization of American States (OAS) International Civilian Mission to Haiti (MICIVIH).

The preambular part of the text contains references to all previous initiatives approved by the Assembly and the Security Council, as well as to resolutions adopted by the Ministers for Foreign Affairs of the member countries of the Organization of American States and by the Permanent Council of that regional organization. It also reaffirms that the goal of the international community in Haiti remains the full observance of human rights and fundamental freedoms and the promotion of social and economic development in Haiti. It makes specific reference to the recent legislative elections held in Haiti within the framework of the full restoration of democracy. It supports the energetic work of Secretary-General Boutros-Ghali and of the Secretary-General of the OAS. It welcomes with satisfaction the success of MICIVIH and the contribution to that success of the Special Representative of the Secretary-General and his entire staff. It also welcomes the efforts by States to provide humanitarian assistance and technical cooperation to the people of Haiti at this very crucial time. It expresses full support for the mandate of MICIVIH in regard to the full observance of human rights and the full restoration of the constitutional democracy of Haiti. It also pays tribute to the staff of the Mission and takes note of the report of the Secretary-General (A/49/926), as well as the annex containing the letter from President Aristide to the Secretary-General requesting the extension of the mandate of the Mission.

The operative part of the text approves the recommendation of the Secretary-General to renew the mandate of the joint Mission until 7 February 1996. It expresses full support for the Mission and pays tribute to the Haitian people for their efforts on behalf of democracy, economic prosperity and national reconciliation. It expresses its appreciation to those States which have assisted in the restoration of democracy to Haiti and the return of its constitutional President. It welcomes the prospect of presidential elections towards the end of this year and the transition to a new, democratically elected government in accordance with the Constitution of Haiti. It reaffirms the commitment of the international community to an increase in technical, economic and financial cooperation in Haiti, in support of its economic and social development efforts and in order to strengthen its democratic institutions. It commends the cooperation between the United Nations and the OAS and requests the Secretary-General of the United Nations to support Haitian efforts directed towards national reconstruction and development and to continue coordination of the efforts of the United Nations system in humanitarian assistance and development in Haiti. Finally, the text requests the Secretary-General to submit regular reports on the matter and decides to keep open its consideration of the item.

In the hope that the plenary Assembly will be able to adopt the text without a vote, I take this opportunity to make a very brief statement in my national capacity.

My Government's commitment to the return of the constitutional President of Haiti, to the promotion and protection of human rights and to the democratization of that sister nation has been constant and unfailing. From our seat in this forum, as well as in the critical initiatives undertaken in the Security Council, including participation in the field with a civilian, military and police presence in the various phases of the Haitian crisis, we have sought to assist as best we could in the democratic recovery of the Haitian people.

Now, it falls to us to renew the mandate of the joint United Nations/OAS International Civilian Mission to Haiti for the verification of human rights. We are honoured to be a sponsor of this initiative, together with the other States promoting it. Here, special mention should be made of the staff of the Mission, which has been performing essential work in monitoring and promoting the normalization in Haiti of the observance of human rights. The Haitian people, under the constitutional presidency of its President elected by popular vote, today enjoys a climate of security unknown until recently. The MICIVIH staff has helped to build that security, especially in those most difficult times when the sole international presence in Haiti was precisely that of the Civilian Mission.

The recent legislative elections demonstrate in essence the commitment of the Haitian people to the recovery of their democratic institutions. The difficulties encountered mainly concerned formal requirements that it was not possible to observe in their entirety in the voting on 25 June. They should be seen not by comparison with other, well-established democracies, but rather with reference to how things stood in Haiti only a year ago, when democracy had been rejected. Nevertheless, we hope that it may prove possible to correct one by one the formal defects, which cannot detract from the enormous positive development represented by the free expression of the popular will.

We therefore trust that the presidential elections later this year will serve to consolidate the progress made in strengthening the democratic institutions in Haiti.

In conclusion, allow me also to emphasize the excellent work done by the International Mission and its positive impact in helping to overcome the Haitian crisis. It remains only for us to express our warm thanks to the international staff of the joint Mission and to encourage them to continue fulfilling their mandate with the same commitment to their work that they have demonstrated in the recent past.

The President: I should like to propose that the list of speakers in the debate on this item be now closed.

It was so decided.

Mr. Laclaustra (Spain) (*interpretation from Spanish*): I have the honour to speak on behalf of the European Union on agenda item 34, "The situation of democracy and human rights in Haiti".

We have taken note of the letter of President Aristide, dated 23 June 1995, in which he acknowledges the assistance of the International Civilian Mission to Haiti (MICIVIH) and requests the extension of its mandate until 7 February 1996. We also note the observations contained in the report of the Secretary-General of 22 June 1995 (A/49/926) on the situation of democracy and human rights in Haiti, in which he recommends that the Mission's mandate be extended and that it maintain its present tasks, including those related to the electoral process.

The European Union notes with satisfaction the improvement in the human rights situation in Haiti since the deployment of the multinational force, now succeeded by the United Nations Mission in Haiti (UNMIH), and the restoration of the constitutional Government of President Aristide. The number and seriousness of human rights violations which took place between September 1991 and October 1994, including extrajudicial executions, enforced disappearances, arbitrary arrests, torture and rape, have fallen dramatically.

The strengthening, if not the outright creation, of institutions essential to the protection of human rights, particularly the civilian police and the judiciary, is the main element of the efforts of the International Mission, in dialogue with the Government of Haiti and in coordination with UNMIH, the United Nations Development Programme (UNDP), the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the United Nations Secretariat. We hope that the international community will be as forthcoming in this respect as it has been so far.

The European Union is now looking forward to the continuation of the process of national reconciliation.

notably through the ongoing legislative and communal elections and the forthcoming presidential elections and through the work of the National Commission of Truth and Justice.

The first round of the legislative and local elections took place on 25 June 1995 in conditions that, by all available accounts and as was noted by the Electoral Observation Mission of the Organization of American States, allowed the voters to exercise their franchise free from intimidation. We have nonetheless indicated our concern about the many administrative and logistical shortcomings that left a large number of voters unable to exercise their rights.

However, the fact that Haitians were, for the first time, able to decide their future free from military control, and the reasonable measure of security and freedom in the electoral campaign, cast the ongoing electoral process in an altogether different historical perspective. In the process of institution building, the accountability of local and national structures has to be considered an important achievement. We hope that the serious flaws observed on 25 June can be addressed and remedied in the ongoing process, as well as in the presidential elections at the end of this year, so that the political process can continue on the track it has followed since the return of President Aristide.

The importance of the work being done by the Electoral Observation Mission of the OAS cannot be overemphasized. The European Union, which supported the organization of the election, in particular by offering assistance in its preparation and by dispatching observers, pays tribute to the OAS and the States that are also contributing to the observation process, as well as to the assistance provided by the United Nations system, including the United Nations Mission in Haiti and the International Civilian Mission.

The situation in Haiti has evolved significantly from the days in which the de facto military authorities suppressed the Haitian people, demonstrating wanton disrespect for human life and fundamental human rights. Consequently, the mandate of the Mission to monitor violations of human rights has been supplemented by the provision of assistance in the institutional reconstruction of the country.

The European Union will continue to support ongoing efforts to support the fledgling democracy in Haiti. We consider that the Mission to Haiti will continue to play a very important role in the immediate future. For that reason, the 15 member States of the European Union, which have sponsored draft resolution A/49/L.67/Rev.1, hope that it will receive the support of the General Assembly.

Mr. Fowler (Canada) (*interpretation from French*): When the General Assembly met a year ago to renew the mandate of the International Civilian Mission in Haiti, the prospects for the early restoration of democracy and respect for human rights appeared dismal.

Since then, the situation has changed completely. President Aristide returned to Haiti on 15 October 1994. With the presence first of the multinational force and now the United Nations Mission in Haiti (UNMIH), security and stability are being maintained as a new Haitian civilian police force is deployed. On June 25 1995, Haitians participated in the first round of parliamentary and local elections, to be concluded next month. Human rights violations have fallen substantially. Without denying the obstacles ahead, Haitians can look to the future with more hope and less fear.

From the outset, Canada has strongly supported the United Nations efforts to re-establish democracy and promote human rights in Haiti. One of the main elements of these efforts has been the close cooperation between the United Nations and the Organization of American States (OAS), of which the creation of the International Civilian Mission has been the most visible result. The Mission has made an outstanding contribution to the achievement of our common objectives.

Throughout the de facto period, the Mission's personnel demonstrated dedication and courage in monitoring the human rights situation under extremely difficult circumstances. Their presence provided the only witness to the abuses of the military dictators. Canada would like to take this occasion to pay tribute to the Mission's members and the work they have accomplished.

(spoke in English)

While the prospects for Haiti's future have clearly improved, formidable challenges remain. MICIVIH continues to serve an important purpose as Haitians pursue their efforts to build democracy and strengthen respect for human rights. The Mission's human rights role remains vital. In close cooperation with UNMIH and the emerging Haitian police force, the Mission will continue to investigate acts of violence that may have a

political motivation and will remain alert to activities that might pose a threat to human rights.

At the same time, MICIVIH, in close association with the Government of Haiti, Haitian non-governmental organizations, the United Nations Development Programme (UNDP) and international donors, will pursue efforts to increase public awareness and strengthen institutions essential to the protection of human rights.

The Mission is also involved in judicial and penal reform, central elements in Haiti's efforts towards national reconciliation and reconstruction. MICIVIH has valuable experience which it is using to assist the Government in judicial training programmes, and it will complement the efforts of others, including Canada, which attach high priority to this area.

Finally, the successful conclusion of parliamentary and local elections next month and the Presidential campaign later this year are fundamental to Haiti's democratic future. MICIVIH was closely involved in the organization and monitoring of the 25 June vote. With the Haitian Electoral Council, United Nations Mission in Haiti (UNMIH) and the Organization of American States (OAS), the Mission will continue to play an important role in helping Haitians ensure a free and fair outcome to the electoral process.

Canada remains strongly committed to helping Haitians fully establish a peaceful, stable and democratic society based on the full respect of individual rights. We have no doubt about the positive and significant contribution MICIVIH has made in the past and will continue to make over the coming months. Therefore, to this end, we are pleased to co-sponsor the resolution before the General Assembly which will extend MICIVIH's mandate until February 1996.

Mrs. Albright (United States of America): First of all, I should like, on behalf of my Government and the people of the United States of America, to express our sympathy to the Chinese people for the suffering caused by the recent floods. Having recently experienced similar calamities in our own country we are well aware of the consequences of such an event, and the Chinese have our deepest condolences.

I should like to remark today on the courage of the men and women who have committed themselves to the future of Haiti. They include the hundreds of professional human rights monitors of the International Civilian Mission to Haiti (MICIVIH), who have risked their own safety to monitor human rights conditions among the Haitian people. Their work must continue. That is why the United States proudly joined Haiti, Argentina, Canada, France and Venezuela as an original sponsor of the General Assembly resolution we are to adopt here today to extend the Civilian Mission's mandate to 7 February 1996.

Courage also marks the decision of nearly 2 million Haitians to go to the polls on 25 June and join the march towards democracy. They endured a long dry season of tyranny and abuse before the return of President Aristide last year. Since then, challenges have confronted all Haitians in the daily struggle to restore their fragile democracy. One of those challenges — to register to vote and then vote on 25 June — required a collective determination on the part of the citizens of Haiti that should humble us all. And the International Civilian Mission no doubt contributed to the people's sense of security on the morning of 25 June.

One year ago, the illegal de facto regime expelled MICIVIH from Haiti. This expulsion was condemned by the Security Council in its presidential statement of 12 July 1994 and was the nadir of the Haitian crisis.

With the restoration last October of President Jean-Bertrand Aristide, Haiti's dry season ended and the planting of lasting democracy began. One hundred and ninety observers of the Civilian Mission, representing 50 nationalities, are helping to promote respect for human rights in Haiti. Their work represents a shining example of effective coordination between the Organization of American States (OAS) and the United Nations.

We not only pay tribute today to the Mission's work since the restoration of democracy to Haiti; we must also honour its valuable work undertaken in difficult and, at times, dangerous circumstances before President Aristide's return.

These efforts in Haiti also signal the broader commitment of the international community, spearheaded by the United Nations, to building democracy. The effort has been comprehensive. It involves human rights monitors and peace-keepers, as well as the restoration of international financial institutions and United Nations specialized agencies. Coordination among the various actors in this cause has been nothing short of extraordinary, and we commend them all.

We can point proudly to the Civilian Mission's participation in the ongoing dialogue between the Government of Haiti, the United Nations Mission in Haiti (UNMIH), UNDP, the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the Secretariat to strengthen institutions in Haiti essential to the protection of human rights.

Thanks to these efforts, since President Aristide's return, the number of human rights violations in Haiti has fallen substantially: free expression is now the norm and mistreatment of prisoners is the exception.

But there has been politically motivated violence — namely, the murders of a former member of the Chamber of Deputies and of a former chief of staff in the de facto Government. We support the Civilian Mission's continued role in investigating politically motivated violence.

We agree with the Secretary-General that the main impediment to full respect for human rights in Haiti is the alarming weakness in the judicial system and the absence of a fully operational civilian force. President Aristide has expressed similar concerns. The recent deployment of 700 members of the new Haitian National Police (HNP) and continuing efforts in Haiti to train new judicial personnel are important first steps. My Government is much involved with these programmes, and we join the Secretary-General in his recent call for increased participation by others.

The elections held on 25 June were an important milestone for Haitian democracy. The electoral contests involved 2,200 offices, over 10,000 candidates and the registration of over 3 million voters. Balloting was almost uniformly peaceful. Most contests took place without serious incident. International observers saw few examples of electoral fraud and no evidence of any large-scale or systematic effort to subvert the elections or skew the results.

However, in many cases the process was, in the words of one observer, "free, fair and fouled up". Some candidates were prevented from running, and some voters were prevented from voting. But these problems do not appear to have been the result of partisan motivation or to have worked to the advantage of any particular party.

We should not be surprised that freely electing over 2,000 local and national officials in the poorest, least educated, most politically volatile nation in the Western Hemisphere — a country without adequate roads, electricity, administrators or democratic tradition — should prove to be such a daunting task.

Extraordinary measures were taken by the Haitian election authorities to facilitate informed choice and promote broad participation of candidates, parties and voters. Few electoral systems anywhere in the world have gone to such lengths to assure independent candidates and small parties an equal place on the ballot. The complexity of this ambitious attempt itself became the source of complaint. Ten thousand polling places were set up in a country largely devoid of infrastructure. Forty thousand poll workers were hired. The scope of these preparations challenged the Haitian electoral authorities and in some cases overwhelmed them.

Our task is now threefold: to encourage the people of Haiti to remain committed to the electoral process, to encourage Haiti's electoral authorities to improve that process and to encourage Haiti's political parties — whether they be the losers or the winners this time around — to stay in the game. Most importantly, we must help strengthen the mechanisms needed to make sure that this milestone leads to a duly constituted and freely elected system of government.

The role of MICIVIH in this effort is important. It appealed to all political parties and candidates and the appropriate authorities to do all in their power to ensure that elections took place in a peaceful atmosphere. As Haiti continues its electoral process, representatives of my Government and of the Friends of Haiti have joined with the United Nations and the OAS to address deficiencies.

We are all working to ensure that the second round of local and legislative elections will be more effectively managed than the first and that the Presidential elections scheduled for the end of this year will achieve a still higher standard. This is but the latest example of sustained international cooperation for Haiti. We must remain fully committed to helping Haiti down the road to democracy.

Such continued and comprehensive efforts between the international community and the Government of Haiti are crucial for meeting the challenge. As President Aristide said in his letter of 23 June 1995 to the Secretary-General, these efforts

"will have to be maintained and reinforced if respect for the rights of the individual in Haiti is to become firmly entrenched." (*A/49/926, annex, second paragraph*)

It will be a long road, and our renewal of the mandate of MICIVIH today is another step forward in this historic endeavour. Our destination is clear and within reach: a democratic and independent Haiti, where peace is sustained, human rights are respected, and prosperity possible.

Mr. Rodrigue (Haiti) (*interpretation from French*): My delegation wishes to thank the Secretary-General for his very detailed report on the human rights situation in Haiti and on the activities conducted by the International Civilian Mission to Haiti (MICIVIH) to promote respect for human rights in my country.

We recall that the Mission is a joint operation between the Organization of American States (OAS) and the United Nations, created at the request of President Aristide in order to ensure respect for human rights, which had regularly been flouted under the military regime.

During the period of the *coup d'état* the Mission accomplished outstanding, praiseworthy work in extremely difficult conditions. The members of the Mission were able to learn of many and varied violations of individual rights committed with utter impunity by the military and its civilian allies against the Haitian populace. They were able to denounce these acts publicly and intervene with the authorities on the spot to put an end to those violations. The personnel of MICIVIH took enormous risks to ensure the defence of the oppressed Haitian people, and the Haitian Government wishes to pay a well-deserved tribute to the men and women whose presence in Haiti served not only as a deterrent but, above all, represented the only recourse for a population abandoned to the wrath of the military. The military tired of these bothersome witnesses, eventually expelled the Mission from Haiti so that it could do its dirty work unfettered by international public opinion.

With the return of President Aristide and the restoration of constitutional order in Haiti, MICIVIH has been able to resume its activities of observation and defence of human rights. To these primary activities we must add its participation in the elections taking place in Haiti. In this regard, MICIVIH is without a doubt an important element in the efforts being made within the country to consolidate the democracy that the Haitian people have valiantly fought to establish.

My Government, aware that respect for the fundamental rights of all citizens is an essential condition for the establishment of a genuine democracy and a state of law, is firmly determined to set up the structures necessary for the protection of civil liberties. A far-reaching reform of the judicial system has been undertaken in order to enable it to dispense true justice to the people.

Similarly, the Government has launched an educational campaign for the people in order to promote respect for the fundamental human rights of all citizens. The establishment of the police corps for the purpose of ensuring the protection of the population is another measure undertaken by the Government in the area of respect for human rights. The first police officers to graduate from the police academy have already been deployed in the capital and can be credited with having contributed to a reduction in the crime rate there.

Mention must also be made of the establishment of the National Commission of Truth and Justice, whose mandate is to investigate serious violations of human rights committed between 30 September 1991 and 15 October 1994.

In these areas, and other areas, MICIVIH is present and is providing very useful cooperation in the form of advice, ideas or recommendations, for which my Government is grateful and from which it hopes to continue to benefit. My delegation is therefore pleased in advance at the decision to be taken by the General Assembly to authorize the extension of the mandate of the United Nations component of MICIVIH and wishes to express its thanks to the delegations that have worked with us to achieve this objective.

The President: We have heard the last speaker in the debate.

Before proceeding to take action on draft resolution A/49/L.67/Rev.1, I should like to announce that Saint Lucia has become a sponsor of the draft resolution.

The Assembly will now take a decision on draft resolution A/49/L.67/Rev.1. The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/49/941.

May I take it that the Assembly decides to adopt draft resolution A/49/L.67/Rev.1?

The draft resolution was adopted (resolution 49/27 B).

The President: We have thus concluded this stage of our consideration of agenda item 34.

Introduction of reports of the Fifth Committee

The President: The General Assembly will now consider the reports of the Fifth Committee on agenda items 116 (a) and (b), 118 (a), 120, 125, 126, 127 and 130, 129, 131 and 132 (a).

I request the Rapporteur of the Fifth Committee to introduce the reports of the Fifth Committee in one intervention.

Mr. Djacta (Algeria), Rapporteur of the Fifth Committee (*interpretation from French*): I have the honour to introduce to the General Assembly today the reports of the Fifth Committee on agenda items 116 (a) and (b), 118 (a), 120, 125, 126, 127 and 130, 129, 131 and 132 (a).

On agenda item 116 (a), entitled "Financing of the United Nations peace-keeping forces in the Middle East: United Nations Disengagement Observer Force", the report of the Fifth Committee appears in document A/49/755/Add.2. In paragraph 6 of the report, the Fifth Committee recommends to the General Assembly the adoption of a draft decision which the Committee adopted without a vote.

On agenda item 116 (b), entitled "Financing of the United Nations peace-keeping forces in the Middle East: United Nations Interim Force in Lebanon", the Fifth Committee's report is contained in document A/49/811/Add.1. In paragraph 6 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft decision which was adopted by the Committee without a vote.

On agenda item 118 (a), entitled "Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission", the Fifth Committee's report is contained in document A/49/877/Add.1. In paragraph 6 of this report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution which was adopted by the Committee without a vote. In that draft resolution, the General Assembly would express its appreciation for the decision of the Government of Kuwait to defray two thirds of the cost of the Observation Mission.

On agenda item 120, "Financing of the United Nations Observer Mission in El Salvador", the Fifth Committee's report is contained in document A/49/503/Add.1. In paragraph 6 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution which was adopted by the Committee without a vote.

On agenda item 125, "Financing of the United Nations Peace-Keeping Force in Cyprus", the Fifth Committee's report is contained in document A/49/809/Add.1. In paragraph 6 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft decision which was adopted by the Committee without a vote.

On agenda item 126, "Financing of the United Nations Observer Mission in Georgia", the Fifth Committee's report is contained in document A/49/798/Add.1. In paragraph 6 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution which was adopted by the Committee without a vote.

On agenda items 127, "Financing of the United Nations Observer Mission Uganda-Rwanda", and 130, "Financing of the United Nations Assistance Mission for Rwanda", the Fifth Committee's report is contained in document A/49/687/Add.2. In paragraph 8 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution which was adopted by the Committee without a vote.

On agenda item 129, "Financing of the United Nations Observer Mission in Liberia", the Fifth Committee's report is contained in document A/49/812/Add.1. In paragraph 5 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution which was adopted by the Committee without a vote.

On agenda item 131, "Financing of the United Nations Military Liaison Team in Cambodia", the Fifth Committee's report is contained in document A/49/934. In paragraph 6 of that report, the Fifth Committee recommends to the General Assembly the adoption of a draft resolution which was adopted by the Committee without a vote.

Finally, on agenda item 132 (a), "Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations: Financing of the United Nations peace-keeping operations", the Fifth Committee's report is contained in document A/49/803/Add.4. At its 61st meeting, on 30 June 1995, the Fifth Committee adopted a draft decision recommending that the General Assembly maintain the current level of resources approved under the support account for peace-keeping operations. That draft decision was adopted by the Fifth Committee without a vote.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that under paragraph 7 of decision 34/401 the Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee".

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Fifth Committee.

Agenda item 116 ***(continued)***

Financing of the United Nations peace-keeping forces in the Middle East

(a) United Nations Disengagement Observer Force: report of the Fifth Committee (Part III) (A/49/755/Add.2)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of Part III of its report.

The draft decision was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

(b) United Nations Interim Force in Lebanon: report of the Fifth Committee (Part II) (A/49/811/Add.1)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of Part III of its report. The draft decision was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 116.

Agenda item 118 ***(continued)***

Financing of the activities arising from Security Council resolution 687 (1991)

(a) United Nations Iraq-Kuwait Observation Mission: report of the Fifth Committee (Part II) (A/49/877/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of Part II of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/245).

The President: We have thus concluded this stage of our consideration of sub-item (a) of agenda item 118.

Agenda item 120 *(continued)*

Financing of the United Nations Observer Mission in El Salvador: report of the Fifth Committee (Part II) (A/49/503/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of Part II of its report. The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/246).

The President: We have thus concluded this stage of our consideration of agenda item 120.

Agenda item 125 *(continued)*

Financing of the United Nations Peace-Keeping Force in Cyprus: report of the Fifth Committee (Part II) (A/49/809/Add.1)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of Part II of its report. The draft decision was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 125.

Agenda item 126 *(continued)*

Financing of the United Nations Observer Mission in Georgia: report of the Fifth Committee (Part II) (A/49/798/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of Part II of its report. The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/231 B).

The President: We have thus concluded this stage of our consideration of agenda item 126.

Agenda items 127 *(continued)* and 130 *(continued)*

Financing of the United Nations Observer Mission Uganda-Rwanda: report of the Fifth Committee (Part III) (A/49/687/Add.2)

Financing of the United Nations Assistance Mission for Rwanda: report of the Fifth Committee (Part III) (A/49/687/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 8 of Part III of its report. The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/20 B).

The President: We have thus concluded this stage of our consideration of agenda items 127 and 130.

Agenda item 129 *(continued)*

Financing of the United Nations Observer Mission in Liberia: report of the Fifth Committee (Part II) (A/49/812/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the

Fifth Committee in paragraph 5 of Part II of its report. The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/232 B).

The President: We have thus concluded this stage of our consideration of agenda item 129.

Agenda item 131

Financing of the United Nations Military Liaison Team in Cambodia: report of the Fifth Committee (A/49/934)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of its report. The draft decision was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 131.

Agenda item 132 ***(continued)***

Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations:

(a) Financing of the United Nations peace-keeping operations: report of the Fifth Committee (Part V) (A/49/803/Add.4)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of Part V of its report. The draft decision was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of sub-item (a) of agenda item 132.

The meeting rose at 1.35 p.m.

United Nations A/49/PV.106

General Assembly
Forty-ninth Session

Official Records

106th Meeting
Thursday, 20 July 1995, 10 a.m.
New York

President: Mr. Essy . . . . . (Côte d'Ivoire)

In the absence of the President, Ms. Arystanbekova (Kazakstan), Vice-President, took the Chair.

The meeting was called to order at 10.55 a.m.

Reports of the Fifth Committee

The President: The Assembly will today consider the reports of the Fifth Committee on agenda items 17 (a), 105, 108, 109, 113, 117, 119, 121, 122, 123, 132, 146 and 163.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the Assembly decides not to discuss the reports of the Fifth Committee which are before it today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote or position.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that by paragraph 7 of decision 34/401 the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee".

May I also remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Fifth Committee.

Agenda item 17 (*continued*)

Appointments to fill vacancies in subsidiary organs and other appointments

(a) Appointment of members of the Advisory Committee on Administrative and Budgetary Questions: report of the Fifth Committee (Part IV) (A/49/432/Add.3)

The President: The Fifth Committee recommends in paragraph 4 of Part IV of its report that the General Assembly should appoint Mr. Wolfgang Stockl of Germany as a member of the Advisory Committee on Administrative and Budgetary Questions for a term of

95-85765 (E)

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office beginning on 20 July 1995 and ending on 31 December 1995.

May I take it that it is the wish of the General Assembly to appoint Mr. Wolfgang Stockl?

It was so decided.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (a) of agenda item 17?

It was so decided.

Agenda item 105 (*continued*)

Review of the efficiency of the administrative and financial functioning of the United Nations: report of the Fifth Committee (Part II) (A/49/820/Add.1)

The President: The Assembly will now take a decision on the four draft decisions recommended by the Fifth Committee in paragraph 10 of Part II of its report.

We turn first to draft decision I, entitled "Progress made in the implementation of procurement reform in the United Nations Secretariat". May I take it that the Assembly wishes to adopt draft decision I?

Draft decision I was adopted.

The President: We turn next to draft decision II, entitled "Audit of the United Nations Protection Force personnel pilot project". May I take it that the Assembly wishes to adopt draft decision II?

Draft decision II was adopted.

The President: Draft decision III, entitled "Investigation of allegations of irregularities and mismanagement and audit of the United Nations Mission for the Referendum in Western Sahara", was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to adopt draft decision III?

Draft decision III was adopted.

The President: Draft decision IV, entitled "Review of the efficiency of the administrative and financial functioning of the United Nations", was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to adopt draft decision IV?

Draft decision IV was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 105.

Agenda item 108 (*continued*)

Programme planning: report of the Fifth Committee (Part II) (A/49/819/Add.1)

The President: The Assembly will take action on the draft decision recommended by the Fifth Committee in paragraph 5 of Part II of its report. May I take it that the General Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 108?

It was so decided.

Agenda item 109

Improving the financial situation of the United Nations: report of the Fifth Committee (A/49/946)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 4 of its report.

May I consider that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: We have concluded this stage of our consideration of agenda item 109.

Agenda item 113 (*continued*)

Human resources management: report of the Fifth Committee (Part IV) (A/49/802/Add.3)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 8 of part IV of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/222B).

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 9 of part IV of its report.

May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 113?

It was so decided.

Agenda item 117 ***(continued)***

Financing of the United Nations Angola Verification Mission: report of the Fifth Committee (Part II) (A/49/816/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 5 of part II of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/227B).

The President: We have thus concluded this stage of our consideration of agenda item 117.

Agenda item 119 ***(continued)***

Financing of the United Nations Mission for the Referendum in Western Sahara: report of the Fifth Committee (Part III) (A/49/808/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 5 of part III of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/247).

The President: We have concluded this stage of our consideration of agenda item 119.

Agenda item 121

Financing and liquidation of the United Nations Transitional Authority in Cambodia: report of the Fifth Committee (A/49/944)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 5 of its report. May I consider that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: We have concluded this stage of our consideration of agenda item 121.

Agenda item 122 ***(continued)***

Financing of the United Nations Protection Force: report of the Fifth Committee (Part III) (A/49/756/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of part III of its report.

The draft resolution, entitled "Financing of the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters", was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/248).

The President: I shall now call on the representative of Germany to explain his position on the resolution just adopted.

Mr. Henze (Germany): My delegation joined in the consensus in adopting the resolution contained in

document A/49/756/Add.2 because we attach the utmost political importance to the deployment of the rapid-reaction capacity.

Nevertheless, we have reservations concerning the method of peace-keeping financing through voluntary contributions and would like to state our position.

The method of financing a peace-keeping operation through voluntary contributions is a unique and exceptional case, and it should under no circumstances be considered a precedent for other operations decided upon by the United Nations.

In accordance with the statement of the European Union in the Fifth Committee, Germany stresses that the financing of peace-keeping operations is a collective responsibility that must be shared by all members of the Organization through assessed contributions, in accordance with Article 17, paragraph 2, of the Charter.

We wish to reiterate the special importance we attach to the principle of the collective responsibility of all Member States and the special responsibility of the permanent members of the Security Council for the financing of peace-keeping operations.

The President: We have concluded this stage of our consideration of agenda item 122.

Agenda item 123 ***(continued)***

Financing of the United Nations Operation in Somalia II: report of the Fifth Committee (Part III) (A/49/757/Add.2)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 4 of part III of its report.

May I take it that the Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: We have concluded this stage of our consideration of agenda item 123.

Agenda item 132 ***(continued)***

Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations: report of the Fifth Committee (A/49/947)

(a) Financing of the United Nations peace-keeping operations: report of the Fifth Committee (Part VI) (A/49/803/Add.5)

(b) Relocation of Belarus and Ukraine to the group of Member States set out in paragraph 3 (c) of General Assembly resolution 43/232: report of the Fifth Committee (Part II) (A/49/821/Add.1)

The President: We shall first consider the report (A/49/947) of the Fifth Committee on agenda item 132.

The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 7 of that report. The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/249).

The President: We shall now consider Part VI of the report (A/49/803/Add.5) of the Fifth Committee on sub-item (a) of agenda item 132.

The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of Part VI of that report. The draft resolution, entitled "Support account for peace-keeping operations", was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/250).

The President: The Assembly will now consider Part II of the report (A/49/821/Add.1) of the Fifth Committee on sub-item (b) of agenda item 132.

The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 4 of Part II of its report. The draft decision was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: I now call on those delegations wishing to explain their position on the resolutions and the decision just adopted.

Mr. Mojouikhov (Belarus) (*interpretation from Russian*): My delegation wishes to explain the position of the Republic of Belarus in favour of the decision of the Fifth Committee, adopted at its 66th meeting on the revised draft resolution of the Chairman of the Fifth Committee, submitted with oral amendments and subsequently issued as document A/C.5/49/L.64 of 14 July 1995. The text, which we have just adopted, appears on page 2 of document A/49/947 of 19 July 1995. Furthermore, I must do this because, in the report — for technical reasons, I hope — no mention is made of our statement in explanation of position to the Fifth Committee following the adoption of draft resolution A/C.5/49/L.64.

The delegation of the Republic of Belarus joined the fragile consensus on draft resolution A/C.5/49/L.64, which was adopted as a package. This proved possible as a result of the first phase of the consideration at the 64th meeting of the Fifth Committee, on 12 July last and at its 66th meeting, on 14 July, of agenda item 132, entitled "Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations". Document A/C.5/49/L.64 addresses the proposal of Portugal that it be reclassified to group B — the proposal we have just adopted — as well as the new request of Belarus to be reclassified to group C. In joining the consensus, we based our decision on the following reasons.

First, the delegation of Belarus wished to promote a rapid adoption by the Fifth Committee, and subsequently by the General Assembly, of a voluntary and responsible decision taken by the Government of Portugal to reclassify Portugal from group C to group B for the apportionment of assessments for the financing of peace-keeping operations. We are sure that this will in no way impede the overall reform of the financing system of the United Nations.

Secondly, the preambular part of the draft resolution contained in document A/C.5/49/L.64 reflects the fact that the Fifth Committee has also received a request from Belarus for reclassification from group B to group C. The substance of and reasons for this request were set forth in the memorandum of the Permanent Representative of the Republic of Belarus to the United Nations on 28 June 1995 and in the statement of the Belarus delegation at the 64th meeting of the Fifth Committee on 12 July. We would request the Secretariat to issue the texts of the memorandum and the statement as official documents of the United Nations under agenda item 132 of the General Assembly at its resumed forty-ninth session, entitled "Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations".

Thirdly, the delegation of Belarus acceded to the wishes of several delegations that it make a more extensive examination of its request to reclassify Belarus from group B to group C during the third part of the resumed forty-ninth session of the General Assembly, which is expected to occur from 6 to 8 September 1995. In so doing, we took into consideration the positions of all delegations and their reactions to the official statement of the head of the Portuguese delegation at the 64th meeting of the Fifth Committee, on 12 July, and particularly at its 66th meeting, on 14 July, before the adoption of draft resolution A/C.5/49/L.64, particularly in the context of the request of Belarus for possible reclassification to group C. As we know, the text of the second Portuguese statement is contained in paragraph 4 of document A/49/947.

Fourthly, the delegation of Belarus considers the package in document A/C.5/49/L.64 to be a delicate and temporary compromise in the light of the voluntary bilateral agreement reached earlier between Belarus and Portugal in connection with the financial aspects of the gradual transition of Portugal to group B and the possible reclassification of Belarus to group C. If such reclassification does take place, the partial reduction in the Belarusian expenses in the financing of peace-keeping operations could also be gradual, rather than immediate, and less than if Belarus were to be placed in group C without any supplementary conditions. In this respect, we assume that the scale of assessments of other States could remain unchanged in a sort of "neutral exchange".

For more than three and a half years, since before the opening of the very important negotiations in General Assembly working groups on questions concerning the financial situation of the United Nations and the application of the principle of States Members' capacity to pay in determining the scale of their contributions, the

Belarus delegation has been consistently in favour of reforming the United Nations financial system. We are and will remain advocates of mutually acceptable, just and balanced reform in this area, in the interests of the whole international community.

As is known, in the period 1992-1994 the scale of Belarus's contributions to the regular budget of the United Nations — which, as we know, is closely related to expenditures on peace-keeping operations — was three times higher — I stress three times higher — than its share of world income. As Belarus sees these exceptional circumstances as an unjust anomaly, which is also the way it regards the retention of Belarus in group B, which includes countries that aspire to permanent membership of the Security Council.

All countries whose national incomes are comparable to that of Belarus are currently in group C. The per capita income of these countries is in some cases four to six times higher than that of Belarus. Under the present scale of contributions to the regular budget of the United Nations, that of Belarus for 1995 was 2.3 times higher than Belarus's share of world income.

Only in 1997 will a gradual reduction in our contributions put them at the level of the gradually increasing contributions of Portugal, although Portugal's share of world income and its per capita income are almost twice as high as those macroeconomic indicators in the case of Belarus.

In this situation it would be more just to insist on an immediate reclassification of Belarus into group C. However, we are willing to accept a sincere compromise — namely, a gradual, partial reduction of the share of Belarus of expenditures on United Nations peace-keeping operations, corresponding to the gradual increase in Portugal's share. We feel that, following the decision that has just been adopted on the gradual reclassification of Portugal into group B, it would be perfectly justified, and perfectly sensible and natural, to take a positive decision to reclassify Belarus into group C.

One cannot fail to take into account the good will of Portugal as a donor and the support of an absolute majority of other Member States, as well as the noble acceptance of the reclassification of Belarus by other countries — in particular, Ukraine, whose contribution to the financing of peace-keeping operations exceeds its own real capacity to pay, for reasons beyond its national control.

The delegation of Belarus would like once again to express its sincere gratitude to all delegations which have at this stage supported our request for a provisional reclassification of Belarus into group C. Belarus is ready to participate in further negotiations, both in New York and in the capitals — including Minsk — with those States that need additional time for a more in-depth study of the arguments set forth in connection with the Belarusian request to be reclassified into group C. It is ready to consider the positions of all other countries and to do so in the context of the voluntary reclassification of Portugal into group B — a decision that the delegation of Belarus fully supported.

Our delegation expresses the hope that a future decision of the Fifth Committee of the General Assembly, which we hope can be adopted in September this year, in connection with the request of Belarus for gradual reclassification into group C could be based on an analysis not only of the financial and other implications of such a decision for the overall process of negotiations concerning reform of the financial system of the United Nations, but also on its consequences for individual Member States.

In consideration of a possible positive decision on the request of Belarus, we should like to ask that account be taken of its significance, first as one of the important factors in the maintenance of social stability in our country; secondly, as a measure of international support at this crucial stage of the implementation of further national reforms; and thirdly, as one of the means of alleviating the international obligations of Belarus, which include its financial obligations to the United Nations.

A demonstration of flexibility in respect of this request would be highly appreciated by the Republic of Belarus and would meet with the understanding of, we hope, all Member States of the United Nations.

The President: May I remind delegations that, in accordance with General Assembly decision 34/401, explanations of vote or position are limited to 10 minutes.

Mr. Zlenko (Ukraine): The Government of Ukraine decided to support the decision that has just been taken by the General Assembly. Although this decision is not perfect, it can be considered as a step in the right direction.

We would like to underline once again that the solution of the problem of the proper financing of

peace-keeping operations could, rather, be achieved through the just and adequate apportionment of costs between all Member States, in conformity with their capacity to pay. In this connection, the voluntary decision by the Government of Portugal to reclassify Portugal from group C to group B is commendable. We hope that other Member States whose economic situation might put them in a position to take a similar decision will follow this example.

We also proceed from the fact that in the current situation the voluntary movement "up" in the existing peace-keeping financing system should be accompanied by a corresponding movement "down" by interested parties, in addition to the other acceptable measures to alleviate the anomalies in the system. The Organization can only benefit from such an exchange. For this reason, we have arrived at the decision, during recent negotiations, to support the request of Belarus for reclassification from group B to group C.

At the same time, however, taking into account existing realities, we would prefer even in this case a solution of the problem that also gives long-awaited relief to other Member States which, for reasons beyond their control, find themselves being assessed for peace-keeping costs at a level greatly above their capacity to pay.

More than two years ago, Ukraine was the first Member State to draw the attention of the Organization to the need for its reclassification at the earliest possible time from group B to group C in the system of the apportionment of the costs of peace-keeping operations.

We have to state with regret that since that time the economic situation in our country has not changed for the better. In 1994, the per capita gross national product in Ukraine fell below $1,570. This is the lowest such indicator among the 21 Member States now located in group B. It is even lower than that of a number of countries in group C.

In this extremely difficult economic situation, Ukraine has complied with the wishes of the international community by ratifying the Treaty on the Non-Proliferation of Nuclear Weapons. This was intended to confirm that our country is a responsible member of that community. The implementation of the Treaty requires considerable expense on the part of Ukraine. Ukraine spends a substantial part of its State budget in an effort to reduce the aftermath of the accident at the Chernobyl nuclear plant, and is to undertake measures for the complete closing of the plant. It observes the sanctions enforced against the Federal Republic of Yugoslavia by the Security Council, suffering significant economic damage as a result.

Today, at the outset of the first and most painful period of the implementation of economic reform, we need, more than ever, the support and assistance of the international community. In this connection we consider a possible decision to reduce the participation of Ukraine in the financing of peace-keeping operations to the level of its capacity to pay to be an effective response by the United Nations to our needs.

We hope Member States will manage to resolve the problem raised by Ukraine in the context of the activities of the High-Level Working Group on the Financial Situation of the United Nations either by replacing the existing ad hoc system of apportionment of peace-keeping expenses with a better one, or by undertaking the modalities to reclassify our country from group B to group C at the fiftieth session of the General Assembly.

The delegation of Ukraine is ready to do its best to assist in that regard.

Mr. Deineko (Russian Federation) (*interpretation from Russian*): The Russian delegation takes note with great satisfaction of the decision of the Government of Portugal regarding its voluntary reclassification to group B with respect to apportionment of the costs of peace-keeping operations, and we support the request of Belarus for simultaneous reclassification to group C. Our decision to join the consensus on the draft resolution recommended in document A/49/947 reflects my delegation's dedication to the principle of consensus. In this connection, we assume that the question of reclassifying Belarus from group B to group C will be resolved positively in the very near future, certainly no later than the end of the regular part of the fiftieth session of the General Assembly.

Russia's position on the lack of correlation between the existing scale of contributions to the costs of peace-keeping operations and the capacity of States to pay is well known. Portugal's decision voluntarily to increase its contribution to peace-keeping operations further corroborates the correctness of our approach. In our view, the reclassification of Portugal and Belarus is but a palliative; by no means can it be seen to resolve the basic issue of the inadequacy and injustice of the scale of assessments for peace-keeping operations adopted 20 years ago, primarily because there now exist a number of

countries that can rightly expect a reduction in their contributions to peace-keeping operations. We are thinking in particular of our near neighbour, Ukraine.

The question of the financing of peace-keeping operations long ago ceased to be a purely financial one. In view of increased United Nations peace-keeping activities, it has taken on a political character, inasmuch as the ability of the United Nations to fulfil its Charter obligations with respect to the maintenance of peace depends directly on the existence of a healthy and stable financial system as a foundation for such activities.

My delegation once more confirms its position of principle with respect to the immediate need for the radical restructuring of the current system for the apportionment of the costs of peace-keeping operations. That position is dictated by a desire to create conditions in which the United Nations can effectively fulfil the peace-keeping mandates assigned to it by the international community.

Mr. Birenbaum (United States of America): The United States welcomes Portugal's decision to increase voluntarily its rate of assessment for peace-keeping. In his statement to the Fifth Committee last week, the representative of Portugal cited two reasons for his Government's voluntary action: its concern for the United Nations financial situation; and its recognition that Portugal's economic improvement over the last 20 years no longer justified placement in group C.

We hope that other Member States in similar positions will also announce their willingness to move from group C to group B. Such announcements would provide impetus for the comprehensive revision of the peace-keeping scale that we hope will emerge soon from the work of the High-Level Open-Ended Working Group on the Financial Situation of the United Nations, which has been guided ably by Ambassador des Iles of Trinidad and Tobago and Ambassador Sucharipa of Austria.

The United States delegation joined consensus on this resolution on the understanding that Portugal's plan for how it will voluntarily make the transition from group C to group B sets no precedent for the transition to a new, revised peace-keeping scale of assessments. While we continue to welcome Portugal's decision to move up, we wish to emphasize the need for a comprehensive reform. A comprehensive reform will make it politically easier for other Member States to follow the inspired lead of Portugal, and a comprehensive reform will make it easier for the membership to consider positively requests like that of Belarus for a lower assessment rate.

The difficult Fifth Committee negotiation on this issue illustrated clearly the problems caused by the current scale for peace-keeping. The groupings make little sense. There are no criteria for placement in them or for movement from them. The procedure for providing discounts is an inequitable and illogical all-or-nothing system. A better system would relate discounts to need determined by reference to an established norm, such as average per capita income. The scale of assessments for the regular budget at least has some internal logic to it, with each Member State having its own rate.

But looking at the peace-keeping scale, which is used to apportion amounts nearly three times as large as the regular budget, one has to wonder how it could possibly have been devised as a means of equitable burden-sharing, in which each State's assessment could be reasonably close to that of other States in similar circumstances. It is time to eliminate the system of groups and provide individualized assessment rates to Member States, as exists for the regular budget.

We remain sympathetic to the situation of Belarus, as well as that of Ukraine and other States that are particularly and adversely affected by the distorted peace-keeping scale. We have demonstrated that in the last two years. But the solution to their problems and to other anomalies is not tinkering here or there, but rather, a new, revised scale updated to reflect current economic reality.

The United States delegation hopes that the General Assembly will be able to look back and see the resolution we have just adopted as marking the point at which the membership turned the corner towards adopting such a scale.

I should like now to provide our explanation with respect to a related matter, a matter also contained in this resolution, bearing on the support account. The United States welcomes the resolution adopted on the support account for peace-keeping operations. We believe the resolution sets forth the necessary framework to ensure sound financing and management of the support account, and that it will enable the Secretary-General effectively to administer the critical backstopping requirements of peace-keeping.

We trust there will be strict compliance with paragraph 12 of the resolution. We look forward to receiving the interim report of the Board of Auditors on the management of the support account, as requested in operative paragraph 9 of the resolution, so that definitive action may be taken on the staffing requirements of the account during the fall session of the General Assembly.

Mr. Soares (Portugal): My delegation wishes to express its satisfaction at the adoption by consensus of the resolution contained in document A/49/947, which reclassifies Portugal from group C to group B. In this connection, we have informed the Secretary-General that, as declared in our statement in the Fifth Committee, the first step in the process of change took place as of 1 July 1995.

The decision of my Government is a clear indication of its endeavours to solve the fundamental issues of the international community through the United Nations. It is an unequivocal expression of our full and serious commitment to the purposes and principles enshrined in the Charter. We are fully conscious of the seriousness, complexity and depth of the financial debate before us, which could have negative repercussions on essential areas of the Organization's activities. The success of the Organization depends on its Member States' respecting the rule of law; and in this Organization, the law is the Charter.

I wish to take this opportunity to express my admiration for the capacity of the Secretary-General and his officials to run the Organization without any assurance that payments of contributions will be made in full and in a timely manner.

We hope that other Member States will join us in expressing their commitment to the Organization on the occasion of its fiftieth anniversary by taking the necessary steps to ensure for it a sounder financial basis.

The President: We have thus concluded this stage of our consideration of agenda item 132.

Agenda item 146 ***(continued)***

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991: report of the Fifth Committee (Part IV) (A/49/810/Add.3)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of part IV of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/242B).

The President: I shall now call on those representatives who wish to explain their position on the resolution just adopted.

Mr. Hanson (Canada) (interpretation from French): I have asked to speak in order to make clear my delegation's position with regard to the method of funding that has been adopted for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991. Since the same method has been proposed to fund the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, my comments apply equally to that body.

This resolution represents a hard-won decision achieved only after many months of arduous toil. It is due in large part to the skill and perseverance of Mrs. Maria Milanovic-Rotheiser of Austria, who coordinated informal consultations on this item, and to whom my delegation wishes to pay particular tribute.

The territory of the former Yugoslavia has been the scene of atrocities so ghastly that reports of them were initially dismissed as the fantasies of sick minds. Tragically, that is not the case. The crimes, the suffering and the imperatives of justice are all too real.

The International Tribunal has a difficult task ahead of it, but we are confident that the Tribunal will make a significant contribution to the application of the international law that must be respected in situations of conflict, and to upholding the principles of human dignity, even in those difficult circumstances.

Canada has, from the outset, supported the establishment of the Tribunal, and has contributed personnel and material resources to its preparatory work and to the investigations that have been undertaken.

It has been a matter of great regret to us, however, that even given the self-evident necessity and urgency of the Tribunal's work, it proved impossible for far too long for funding arrangements to be agreed. In the absence of secure and stable funding, it has been necessary for the Secretary-General to rely on commitment authorities and internal borrowing in order to enable the Tribunal to function.

(*spoke in English*)

An international tribunal is not a peace-keeping operation: it does not monitor any cease-fires, or separate any forces, or protect any populations, or escort any convoys. Its purpose is to investigate, prosecute and judge those accused of violations of international law. My delegation does not therefore believe it appropriate to fund international tribunals through the ad hoc means developed for peace-keeping operations. The permanent members of the Security Council bear no special responsibility for the administration of justice and no extra responsibility for its funding.

My delegation has always believed, and continues to maintain, that Tribunals such as this should be funded through the regular budget, by means of assessed contributions. This resolution departs from that principle. Half the funding of the Tribunal is to be assured through a waiver by Member States of their respective shares in the credits arising from budgets of the United Nations Protection Force; they hence accept an equivalent increase in the assessments for a future budget period. This method is based on the assumption that the credits in question will continue to be adequate to the purpose, both for the current biennium and the next.

I must therefore make it clear that, for the reasons I have given, my delegation does not support this resolution. We have reluctantly decided not to oppose its adoption, given the overriding necessity of providing the means for justice to be done.

In this connection, I must also emphasize that, in the understanding of my delegation, this resolution does not provide for any new or increased assessments beyond the amounts identified in operative paragraphs 21 or 22, nor does it prejudge any decision which might be taken regarding funding in periods following 1996-1997.

Mr. Muñoz (Spain) (*interpretation from Spanish*): I have the honour to speak on behalf of the European Union on agenda item 146, "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991."

The European Union, in its statement made by the representative of France before the Fifth Committee on 16 March last, has already stated its position regarding the financing for the International Tribunal, which it believed should be the following:

> "Considering the exclusively legal nature of its activities, the Tribunal should be financed in accordance with the scale of assessment of the regular budget."

Nevertheless, the Union also wishes to express its satisfaction with the consensus reached, which we believe establishes an acceptable financial basis for the financing of this Tribunal until 31 December 1997.

In this context, and in order to establish a stable financial basis permitting the efficient operation of the Tribunal, the European Union expects that all Member States of the Organization will make every effort so that the contributions to be assessed for financing this Tribunal, both those referred to in paragraph 21 of the resolution relating to future apportionment for the United Nations Protection Forces, as well as those referred to in paragraph 22 of the resolution relating to the apportionment in accordance with the scale of assessments of the regular budget, be paid in full within the 30-day period specified in the financial Rules, and without conditions.

Mr. Sharp (Australia): Australia, too, welcomes the adoption of the resolution financing the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991. We are pleased that the Tribunal now has an assured financial base and we wish to express our gratitude to the Coordinator of the item, Mrs. Maria Rotheiser, for achieving that important objective.

The mode of financing of the Tribunal represents a compromise between those who wish to see it funded on the regular budget scale and those who wish to see it funded on the peace-keeping scale. For the record, Australia's preference was and remains that the Tribunal should be funded on the regular budget scale. As the representative of Canada has just explained, the Tribunal is not a peace-keeping operation. It was established with the aim of upholding and strengthening international law and justice. It would therefore have been appropriate for the Tribunal to be funded in accordance with the regular budget.

As the same mode of financing has been proposed for the International Criminal Tribunal for Rwanda, the preceding remarks about the financing of Tribunals apply equally to that body.

Mr. Albin (Mexico) (*interpretation from Spanish*): My delegation joined the consensus in adopting the resolution although the text reflects a delicate balance in the distribution of dissatisfactions in the positions of all the States Members of the Organization.

This resolution provides a stable financial basis for the effective operation and financing of the Tribunal. Measures have been taken to avoid the possible diversion of resources which the Organization has already allocated to activities that serve to fulfil other objectives of the Charter, particularly in the light of a possible negative growth in the programme budgets for future bienniums.

In joining the consensus in favour of this resolution, my delegation wishes to reiterate its belief, expressed through the debates that led to this resolution, that the financing of this ad hoc mechanism must be effected in strict accordance with the scale used for the activities of the Organization carried out under Chapter VII of the Charter. This was the framework in which the Tribunal in question was established in compliance with the resolutions of the Security Council in exercise of its functions in international peace and security.

There is a general recognition in the provisions of this resolution that, in case no funds are available in the account of the United Nations Protection Force in 1996 and 1997 to be transferred to the account of the Tribunal, such resources shall be apportioned in the same way as collected credits arising from the 1994-1995 biennium, in order that the Tribunal may count on the necessary resources.

Furthermore, my delegation regrets that it has not been possible to adopt a final decision on the mode of financing for the Tribunal. The resolution which we have just adopted provides for the General Assembly to decide

> "to review the mode of financing of the International Tribunal at its fifty-second regular session". (*A/49/810/Add.3, para 27*)

My delegation is convinced that the elements already agreed to — equitable mixed financing, a special account separate from the regular budget and additional resources — must continue to be the basis for the adoption of a final decision, not only for this Tribunal, but also for the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

Mr. Birenbaum (United States of America): The United States, along with the representatives of Canada, the European Union, Australia and other countries, believes that the work of the war crimes Tribunal should be financed entirely on the regular budget scale. By no stretch of the imagination is a war crimes tribunal a peace-keeping operation.

None the less, the overriding imperative is to assure a sound basis for the financing of the war crimes Tribunal. For that reason, we were pleased to join the consensus in support of the agreement reached on the financing of the International Tribunal for the former Yugoslavia.

The United States remains strongly committed to the work of the Tribunal and to ensuring that sufficient and secure resources are available so that it may perform its mandate as effectively and expeditiously as possible. We believe that the resolution the Assembly has just adopted puts the Tribunal on an assured financial basis for the first time in its existence.

We wish to note the entirely unique circumstances that led to the financing of this Tribunal, as well as the financing of the Rwanda Tribunal, by means of a special account outside the normal budgetary account structures of the United Nations. We do not accept the action we

have taken as a precedent for financing future activities outside the normal budget processes.

We note the importance of voluntary contributions to the effective functioning of the Tribunal. The United States and other Member States have made significant cash and in-kind contributions to this Tribunal. We urge all Member States to consider such contributions.

Mr. Gjesdal (Norway): The Norwegian Government has from the outset supported the establishment of the Tribunal on war crimes in the former Yugoslavia. Norway has made voluntary contributions to the Tribunal's preparatory work and to the investigations currently being undertaken. It is, in our view, essential to provide the Tribunal with a broadly based source of financing, to ensure its effective and impartial functioning and its legitimacy and wide acceptance.

For these reasons, Norway believes that the functioning of the Tribunal should be ensured through financing from the regular budget of the United Nations, following the appropriation of the necessary additional resources. Apportionment should, in our view, have been done entirely according to the regular budget scales of assessment in force, as an expression of broad support for the Tribunal. On that basis, the Tribunal would have been able to carry out its important tasks, in keeping with the relevant Security Council resolutions.

In the absence of the necessary support for such an arrangement, Norway has joined in the consensus on the compromise solution that has just been adopted, which we hope will enable the Tribunal to carry on its ever more challenging assignment without interruption. My delegation agrees with other representatives that, in order to achieve the financial stability necessary to allow the efficient and impartial operation of this Tribunal, it is of the utmost importance that Member States make every effort to pay their respective assessments in full, on time and without conditions.

The comments of my delegation apply, *mutatis mutandis*, to the draft resolution that is before the Assembly under agenda item 163.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 146.

Agenda item 163 *(continued)*

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994: report of the Fifth Committee (A/49/945)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/251).

The President: I shall now call on those representatives who wish to explain their positions.

Mr. Muñoz (Spain) *(interpretation from Spanish)*: I have the honour to speak on behalf of the European Union on this agenda item.

The European Union, in statements in the Fifth Committee by the representatives of France and of Spain, on 16 March and 12 July last respectively, pointed out that the adoption of a decision on the financing modality for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 would lead the way to the adoption of a similar decision for the financing of the International Tribunal relating to Rwanda and that it sincerely hoped that its budget and method of financing would be approved by the General Assembly at an early date in its fiftieth session.

In this respect, the European Union regrets that full consideration of the proposed budget has not been possible, but would like to express its satisfaction at the fact that the agreement over the financing of the Tribunal for the Former Yugoslavia has permitted the rapid

adoption, even before it was expected, of a similar agreement, which we believe establishes an acceptable financial basis for the financing of the International Tribunal for Rwanda.

In this context, and in order to achieve the financial stability to permit the efficient operation of this Tribunal, the European Union expects every Member State to make every effort to pay its assessed contribution in full, within the 30-day period specified in the financial rules, and without conditions.

Mr. Birenbaum (United States of America): The United States welcomes the resolution that has just been adopted on the financing of the International Tribunal for Rwanda, although, as was pointed out with respect to the resolution regarding the financing of the International Tribunal concerning war crimes in the former Yugoslavia, it is our view that the work of Tribunals of this nature should be financed entirely from the regular budget.

As the United States places a high priority on the work of this Tribunal we are pleased that it has now been provided with an assured financial basis.

In our earlier intervention, on the Tribunal for the former Yugoslavia, we noted our concern that the funding mechanism adopted for this Tribunal should not be perceived as precedent-setting. We also wish to re-emphasize the importance of voluntary contributions to the effective functioning of the Tribunal and encourage all Member States to make such contributions. The United States is making a significant voluntary contribution to the work of the Tribunal.

The President: We have thus concluded this stage of our consideration of agenda item 163.

Agenda item 97 (*continued*)

Advancement of women: note by the Secretary-General (A/49/942)

The President: I should like to draw the attention of the General Assembly to a note by the Secretary-General.

In his note, the Secretary-General informs the General Assembly that in its resolution 45/129 of 14 December 1990 and again in its resolution 46/98 of 16 December 1991 the General Assembly endorsed Economic and Social Council resolution 1990/12 of 24 May 1990, in which the Council recommended that a world conference on women should be held in 1995 and requested that the Commission on the Status of Women act as the preparatory body for the conference.

In its resolution 47/95 of 16 December 1992 the General Assembly endorsed Economic and Social Council decision 1992/272 of 30 July 1992, in which the Council took note of the report of the Commission on the Status of Women and endorsed the recommendations contained therein, including resolution 36/8 of 20 March 1992 concerning the preparations for the Fourth World Conference on Women: Action for Equality, Development and Peace. In that resolution, the Commission decided to recommend that participation in the Conference should be open, *inter alia*, to interested intergovernmental organizations, to be represented by observers at the Conference.

Subsequent to the thirty-ninth session of the Commission on the Status of Women, held from 15 March to 7 April 1995, certain intergovernmental organizations indicated their interest in participating in the Conference. Since the Commission is not scheduled to meet before the commencement of the Fourth World Conference on Women on 4 September 1995, the recommendations concerning the participation of interested intergovernmental organizations in the Conference are submitted in the present note, directly to the General Assembly for its consideration.

The secretariat of the Fourth World Conference on Women: Action for Equality, Development and Peace, having reviewed requests from intergovernmental organizations to participate in the Conference, recommends that the six intergovernmental organizations referred to in paragraph 4 of the note by the Secretary-General be granted observer status in the Fourth World Conference on Women: Action for Equality, Development and Peace.

May I take it that the General Assembly approves those recommendations?

It was so decided.

The President: We have thus concluded the present stage of our consideration of agenda item 97.

The meeting rose at 12.15 p.m.